

**From:** Timothy o'shea  
**To:** Microsoft ATR  
**Date:** 1/27/02 2:14pm  
**Subject:** Microsoft Settlement

Department of Justice

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RE : Final Microsoft Settlement/Judgement

It seems clear that anything that defines a "final" settlement for the Microsoft case must focus on this opportunity to halt monopolistic practices that further define a more limited access to freedom into the future.

After all the resources and expense of the Federal Government in pursuing the formidable position of Microsoft in the market, the initial intention must be paramount: protect future domestic security, rights and economy. Only with a focus on protecting future commerce and individual rights can the government honor its original intention to protect the consumer, the public and the still evolving opportunities of the Information Age and the economies that will emerge within it.

The following are some of the required points that must be included in the spirit and letter of the settlement.

- (1) A simple, affordable, and reliable way to run the 70,000 existing Windows applications without modification on all other operating systems.
- (2) A simple, affordable, and reliable way to have native versions of Microsoft Office applications on all other operating systems.
- (3) A simple, affordable, and reliable way to replace one or more of the four Office applications with competing applications, while retaining the ability to exchange files, data, and services with any Microsoft application.
- (4) A simple, affordable, and reliable way to have native versions of Explorer, Media Player and other Microsoft Internet applications on all other operating systems.
- (5) A simple, affordable, and reliable way to replace one or more Microsoft Internet applications with competing applications, while retaining the ability to exchange files, data, and services with any Microsoft application.
- (6) A simple, affordable, and reliable way to replace any component or

feature in any Microsoft software product with superior or special purpose components or features.

(7) A simple, affordable, and reliable way to run any Microsoft software on computers that do not have Intel-compatible microprocessors.

(8) A simple, affordable, and reliable way for software developers to access all the information they need to create products that offer consumers these choices.

(9) A way to ensure that original equipment manufacturers provide consumers with equal access to computers with alternative operating systems, productivity applications, and Internet applications.

(10) A "crown jewel" provision establishing such serious consequences for non-compliance that Microsoft will not attempt to evade the necessary disclosure requirements and other mandates

The overall question is to ask is if there could be so much smoke around the practices of Microsoft, without the fires of monopolistic strategy being at the source of a strong and growing fire. Such an informational juggernaut position, if unchecked, could unleash a slow burning fire that becomes too much to quell later on.

I hope you will keep these points above in mind. They are, indeed, what is necessary to keep the digital divide from keeping out too many from having access to the future in any meaningful way.

Sincerely,  
Timothy o'Shea